

STATE OF VERMONT
PUBLIC SERVICE BOARD

Docket No. 7533

Investigation Re: Establishment of a Standard-Offer)
Program for Qualifying Sustainably Priced Energy)
Enterprise Development ("SPEED") Resources)

Order entered: 6/24/2010

**ORDER RE REQUEST BY BLUE HERON HYDRO LLC FOR EXTENSION OF TIME TO SUBMIT A
COMPLETED APPLICATION FOR INTERCONNECTION**

On May 27, 2010, Blue Heron Hydro LLC ("Blue Heron") filed a letter with the Public Service Board ("Board") requesting a waiver of the milestone in its standard-offer SPEED (sustainably priced energy enterprise development) contract requiring a complete application for interconnection to be filed within six months of the date of the contract. Blue Heron requests an extension of time to submit the completed application for interconnection, and states that it will be able to complete the application by the end of 2010.

On June 1, 2010, the Board issued a memorandum requiring Blue Heron to demonstrate good-faith compliance with Federal Energy Regulatory Commission ("FERC") requirements, and to demonstrate that it has made all reasonable efforts to obtain FERC approval as quickly as possible. In the memorandum the Board offered interested persons the opportunity to comment on Blue Heron's request.

On June 3, 2010, Blue Heron filed the required information. No other comments were filed.

The Board's December 31, 2009, Third Order Re Implementation Issues noted that hydroelectric projects are subject to a permitting process that is independent of the Board and that can take significantly longer than the Board's Section 248 permitting process. The Order allowed hydroelectric plant owners to request waivers of the milestones in the standard contract, but cautioned that "there will be a limit to the length of time for which the milestones could be waived."

Because Blue Heron has demonstrated good-faith compliance with FERC requirements and has demonstrated that it has made all reasonable efforts to obtain FERC approval as quickly as possible, we grant the requested extension of time to submit the completed application for interconnection. Blue Heron must file its completed application for interconnection no later than December 31, 2010. Pursuant to the standard-offer contract, if Blue Heron fails to file the completed application by December 31, 2010, its standard-offer SPEED contract shall be null and void and of no further force and effect, absent an order of the Board to the contrary.

SO ORDERED.

Dated at Montpelier, Vermont, this 24th day of June, 2010.

<u>s/ James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/ David C. Coen</u>)	BOARD
)	
)	OF VERMONT
<u>s/ John D. Burke</u>)	

OFFICE OF THE CLERK

FILED: June 24, 2010

ATTEST: s/ Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.